

**Applicant:** Kelly et al.  
**Application No.:** 09/787, 602

**Amendments to Drawings:**

The attached sheet of drawings includes changes to Figure 5. This sheet, which includes Figures 5 and 6, replaces the original sheet including Figures 5 and 6. In Figure 5, at step 7, the arrow from 3 to 2 has been moved to the location between 2 and 2.

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### **REMARKS/ARGUMENTS**

After the foregoing Amendment, Claims are currently pending in this application. Claims 3-5 and 8 have been amended for clarity, and claims 1, 7 have been amended to traverse an indefiniteness rejection.

In the drawings, Figure 5 has been amended to correct a misplaced arrow.

#### **Objections to the Drawings**

The Examiner objected to the drawings because of a minor error. A replacement sheet including Figures 5 and 6, which has been revised to correct Figure 5, is submitted herewith. The withdrawal of the objection to the drawings is respectfully requested.

#### **Claim Rejections - 35 USC § 112**

Claims 1 and 7 are rejected under 35 USC 112 as being anticipated indefinite. Claim 1 is amended to clarify the term "shuffling function." Claim 7 is amended to remove the term "immediately."

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**Claim Rejections - 35 USC § 103**

Claims 1-6 are rejected under 35 USC 103(a) as being unpatentable over U.S. Patent 5321748 (Zeidler) in view of U.S. Patent No. 5555305 (Robinson et al.). Claims 7-9 are rejected under 35 USC 103(a) as being unpatentable over Zeidler.

Pursuant to 35 USC 103(c), any subject matter commonly owned at the time of invention is not to be considered when determining whether an invention sought to be patented is obvious under 35 USC 103. Applicants submit that both Zeidler and the present invention are assigned to General Instrument Corporation, and that the subject matter of the present invention was commonly owned at the time of invention. A copy of the Notice of Recordation for the present application and a copy of "USPTO Assignments on the Web" for Zeidler are attached hereto. Accordingly, the withdrawal of the 35 USC 103 rejection to claims 1-9 under Zeidler is respectfully requested.

**Conclusion**

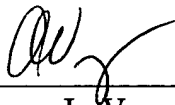
If the Examiner believes that any additional minor formal matters need to be addressed in order to place this application in condition for allowance, or that a telephone interview will help to materially advance the prosecution of this application, the Examiner is invited to contact the undersigned by telephone at the Examiner's convenience.

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In view of the foregoing amendment and remarks, Applicants respectfully submit that the present application, including claims 1 - 9, is in condition for allowance and a notice to that effect is respectfully requested.

Respectfully submitted,

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Enclosures